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Washington 25, D. C.

October 31, 1949

B.E.P.Q. 578-8

SUMMARY OF STATE NURSERY-STOCK SHIPPING REQUIREMENTS AND PLANT QUARANTINES AND REGULATIONS AFFECTING INTERSTATE SHIPMENTS

DELAWARE

The information contained in this summary was compiled from material received from the plant quarantine official of Delaware and has been approved by him. It is issued for the convenience of plant quarantine inspectors, shippers, transportation agents, truckers, and others concerned in the interstate movement of plants, plant products, and other materials subject to State regulation on account of plant pests.

The summary for Delaware gives the general requirements for shipping nursery stock into that State. An appendix furnishes information on post-office requirements for mailing plants as well as terminal-inspection procedure. This summary does not include digests of nursery-stock and plant-quarantine requirements relating to the movement of plants entirely within the State.

The information contained in this circular is believed to be correct and complete up to the time of preparation, but it is not intended to be used independently of or as a substitute for the original texts of the regulations and quarantines, and it is not to be interpreted as legally authoritative. For detailed information address the Nursery Inspector, State Board of Agriculture, Dover, Delaware.

In addition to State requirements, shippers will need to take into consideration applicable plant quarantines of the United States Department of Agriculture. In most instances these quarantines regulate the interstate movement of specified plants, plant products, and other articles from designated regulated areas. However, some of these quarantines regulate the interstate movement of certain articles into designated protected areas. Copies of such quarantines may be obtained from the Bureau of Entomology and Plant Quarantine, Washington 25, D. C.

P. N. Annand

Chief, Bureau of Entomology and
Plant Quarantine

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Summary of General Nursery-Stock Shipping Requirements
(Law of 1899, amended 1901, ch. 216, secs. 13-15)

Definition of Nursery Stock.--All woody plants and parts thereof capable of propagation, whether wild, cultivated, or greenhouse-grown; herbaceous biennials and perennials, bulbous plants and roots; annual plants; aquatics; and fruit pits and other seeds of fruit and ornamental trees and shrubs.

General Shipping Requirements.--Nursery-stock shipments into Delaware must bear a nursery-inspection certificate of the State from which the plants are shipped, and the names and addresses of the sender and addressee. A copy of such certificate must be filed prior to shipment. Shipments are subject to inspection on arrival, and if the stock does not meet the requirements it may be disposed of by the State. The carrier is required to hold uncertified shipments undelivered and report them to the State Board of Agriculture.

The State of Delaware has no plant quarantines pertaining to interstate shipments.

The foregoing summary was checked and approved on August 9, 1949, by W. Robert Hickman, Nursery Inspector.

APPENDIX

Requirements for Mailing Plants and Plant Products

Under the postal laws and regulations, nursery stock, including all field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits, and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, including strawberry plants (except field, vegetable, and flower seeds, bedding plants and other herbaceous plants, bulbs, and roots), may be admitted to the mails only when accompanied by a State inspection certificate to the effect that the nursery or premises from which such stock is shipped has been inspected within a year and found free from injurious insects and plant diseases. Parcels containing such nursery stock must be plainly marked to show the nature of the contents and the name and address of the sender. (Postal Laws and Regulations 1940, sec. 595.) Inspection and certification must be done by a plant quarantine official of the State of origin. An individual mailing of such plantsor plant products, if from uninspected premises, will also be accepted upon examination and certification by a State plant quarantine official. The address of the Delaware plant quarantine official is given in the preceding summary.

Terminal Inspection of Mail Shipments of Plants and Plant Products
(Act Mar. 4, 1915, as amended June 4, 1936; Postal Laws and Regulations 1940, sec. 596)

Establishment of Terminal Inspection.—Any State desiring to operate under the provisions of the terminal inspection law so as to regulate the movement of mail shipments of plants and plant products into (or within) the State may, after having provided therefor at State expense and having designated one or more places where inspection will be maintained, arrange to have such mail shipments turned over to State plant quarantine inspectors for examination at designated inspection points. Application will be made to the Secretary of Agriculture by submitting a list of plants and plant products and the plant pests transmitted thereby, which are to be examined. The list, when approved in whole or in part, will be transmitted to the Postmaster General whereupon postmasters will be informed and instructed.

Anyone mailing a parcel containing any plants or plant products addressed to any place within a State maintaining terminal inspection thereof is required, under the law, to have the parcel plainly marked on the outside to show the nature of the contents. Materials shipped under Federal quarantine certificates issued by the Bureau of Entomology and Plant Quarantine may be exempted from terminal inspection at the option of the receiving State.

Under the provisions of the 1936 amendment to the law, any State may arrange through Federal channels, after approval by the Secretary of Agriculture as indicated above, to regulate or prohibit the movement into

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(or within) the State of mail shipments of designated plants and plant products the movement of which would constitute a violation of State plant quarantine laws or regulations.

Terminal Inspection Procedure.--Upon arrival in any State maintaining terminal inspection, plants or plant products named on the approved list will be forwarded by the postmaster at destination to the nearest inspection point. If the plants or plant products are found, upon inspection, to be free from injurious pests and not in violation of any plant quarantine or regulation of the State of destination or the United States Department of Agriculture, or if disinfested when they are found infested, such plants or plant products will then be forwarded by the postmaster at the point of inspection to the addressee upon payment of postage.

If plants or plant products, upon inspection, are found to be infested with injurious pests and cannot be satisfactorily disinfested, or are in violation of any plant quarantine or fegulation of the State of destination or the United States Department of Agriculture, the postmaster upon notification by the State inspector will inform the sender that the parcel will be returned to him upon his request and at his expense. In default of such request the parcel will be turned over to the State authorities for destruction.

Terminal inspection of plants and plant products is now maintained by Arizona, Arkansas, California, District of Columbia, Florida, Hawaii, Idaho, Minnesota, Mississippi, Montana, Oregon, Puerto Rico, Utah, and Washington. Plants and plant products subject to terminal inspection and places where terminal-inspection service is maintained are listed at the end of the summary of the general nursery-stock shipping requirements for each of the above-mentioned States, District, and Territories.

Procedure for Paying Forwarding Postage.--Methods of paying forwarding postage are provided to expedite the handling of parcels subject to terminal inspection, as follows: (1) The addressee may have the parcels addressed to himself in care of the State inspector at a designated terminal-inspection point in the State of destination and provide the inspector with postage for forwarding the inspected plants; or (2) the addressee may arrange with the sender to place on the parcels a pledge reading, "Forwarding postage guaranteed," whereupon the additional postage for forwarding will be collected from the addressee.